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10/050,284	01/16/2002	John H. Thomas	7320-223	7012
7590	10/24/2003		EXAMINER	
Charles P. Schmal, Esq. Woodard, Emhardt, Naughton, Moriarty and McNett Bank One Center/Tower 111 Monument Circle, Suite 3700 Indianapolis, IN 46204-5137			SING, SIMON P	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/050,284	THOMAS, JOHN H.
	Examiner	Art Unit
	Simon Sing	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11 August 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 2,3,5-24,26,29 and 38-47 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 2,3,5-24,26,29 and 38-47 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 2, 3, 5-7, 17, 23, 26, 29, 38, 39, 41 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Tatchell et al. US 5,905,774.

1.1 Regarding claim 2, Tatchell discloses a method of accessing and operating a voice mail system, Tatchell discloses a Personal Agent Processor (PAP) 27 [computer] configured to store voice messages and call-logs in a voice mail system [database], and the PAP is coupled to a subscriber telephone by a Public Switched Telephone Network (PSTN) as shown in figures 1-3 (column 6, lines 63-67; column 7, lines 1-16; column 10, lines 48-67; column 11, lines 1-8). Tatchell teaches that the PAT receives a command from a subscriber's telephone to administer multiple messages [call logs] stored in the voice mail system such that when a "delete all" command is received, and all messages [call-logs] have a common trait [in a NEW ENTRY or in an OLD ENTRY] are deleted (column 16, lines 36-67; column 17, lines 1-45).

1.2 Regarding claim 3, Tatchell teaches that the PAP provides information, from either the NEW ENTRY or OLD ENTRY, about who called to the subscriber and the subscriber may interrupt the PAP at any time to issue a "delete all" command (column 17, lines 111-17, 20-24).

1.3 Regarding claim 5, Tatchell teaches that the command is either a voice command or a DTMF command (column 11, lines 25-42; column 12, lines 21-25; column 22, lines 36-38).

1.4 Regarding claim 6, Tatchell teaches that the PAP includes an automatic call distribution system for retrieving messages from third party voice mail systems (column 11, lines 9-15).

1.5 Regarding claim 7, Tatchell teaches that the subscriber's telephone is a mobile phone (column 7, lines 2-6).

1.6 Regarding claim 17, Tatchell teaches that the common trait is based on when the messages are received [NEW or OLD] as discussed in claim 2.

1.7 Regarding claim 23, Tatchell teaches storing messages in a NEW ENTRY (column 16, table 30).

1.8 Regarding claim 26, Tatchell discloses a system for accessing and operating a voice mail system, comprising:

means [voice mail system] for storing voice messages and call-logs (Figures 2-3);

means [Personal Agent Processor (PAP) 27] for receiving a command from a subscriber's telephone, over a Public Switched Telephone Network (PSTN), to administer multiple messages stored in the voice mail system (Figures 2-3; column 6, lines 63-67; column 7, lines 1-16; column 16, lines 36-67; column 17, lines 1-45); and

means for administering multiple messages [call-logs] stored in the voice mail system such that when a "delete all" command is received, and all messages [call-logs] have a common trait [in a NEW ENTRY or in an OLD ENTRY] are deleted (column 16, lines 36-67; column 17, lines 1-45).

1.9 Regarding claim 29, Tatchell discloses a Personal Agent Processor (PAP) 27 in figures 2-3, which has computer programs for:

receiving a command from a subscriber's telephone, over a Public Switched Telephone Network (PSTN), to administer multiple messages [call-logs] stored in the voice mail system (Figures 2-3; column 6, lines 63-67; column 7, lines 1-16; column 16, lines 36-67; column 17, lines 1-45); and

administering multiple messages [call-logs] stored in the voice mail system such that when a "delete all" command is received, and all messages [call-logs] have a

common trait [in a NEW ENTRY or in an OLD ENTRY] are deleted (column 16, lines 36-67; column 17, lines 1-45).

1.10 Regarding claim 38, Tatchell discloses a system for accessing and operating a voice mail system, comprising:

a database [voice mail system] for storing messages (Figures 2-3); and
a processor [Personal Agent Processor (PAP) 27] for receiving a command from a subscriber's telephone, over a Public Switched Telephone Network (PSTN), to administer multiple messages [call-logs] stored in the voice mail system, wherein administering multiple messages [call-logs] includes a "delete all" command, to delete all messages [call-logs] having a common trait [in a NEW ENTRY or in an OLD ENTRY] (Figures 2-3; column 6, lines 63-67; column 7, lines 1-16; column 16, lines 36-67; column 17, lines 1-45).

1.11 Regarding claim 39, Tatchell teaches that multiple messages [call-logs] are stored in different entries (folders) [NEW ENTRY and OLD ENTRY] as discussed in claim 38.

1.12 Regarding claim 41, Tatchell teaches that the PAP includes an automatic call distribution system for retrieving messages from third party voice mail systems (column 11, lines 9-15).

1.13 Regarding claim 46, Tatchell teaches that the PAP is configured to delete a selected multiple messages having a common trait as discussed in claim 38.

2. Claims 2, 8, 15, 16, 26, 29, 38, 42, 44 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Tzirkel-Hancock US 5,960,395.

2.1 Regarding claim 2, Tzirkel-Hancock discloses a method for speech recognition in figures 37-41. Tzirkel-Hancock teaches:

operating a voicemail system [computer] to store voice messages in mailboxes [database] (column 40, lines 15-29), the voicemail system is coupled to a telephone 271 (Figures 36 and 37) by a public telephone switch network 273; and receiving a command from telephone 271 to administer multiple voice messages, stored in a mailbox, having a common trait, such as "delete old messages from David" (column 41, lines 28-42).

2.2 Regarding claim 8, as discussed in claim 2, the messages are voicemail messages (column 40, lines 15-29).

2.3 Regarding claim 15, as discussed in claim 2, the common trait includes a common sender (David) of the multiple voicemail messages (column 41, lines 28-42).

2.4 Regarding claim 16, Tzirkel-Hancock further teaches storing a caller's ID for each voice message (column 40, lines 30-35).

2.5 Regarding claim 26, Tzirkel-Hancock discloses a system for speech recognition in figures 37-41. Tzirkel-Hancock teaches:

means for store voice messages [mailboxes] (column 40, lines 15-29); and
means for receiving a command from telephone 271 over a public telephone switch network 273 to administer multiple voice messages, stored in a mailbox, having a common trait, such as "delete old messages from David" (column 41, lines 28-42).

2.6 Regarding claim 29, Tzirkel-Hancock discloses a system and computer readable memory for speech recognition in figures 37-41. Tzirkel-Hancock's system has computer readable memory for:

storing voice messages in mailboxes (column 40, lines 15-29); and
receiving a command from telephone 271 over a public telephone switch network 273 to administer multiple voice messages, stored in a mailbox, having a common trait, such as "delete old messages from David" (column 41, lines 28-42).

2.7 Regarding claim 38, Tzirkel-Hancock discloses a system and computer readable memory for speech recognition in figures 37-41. Tzirkel-Hancock's system comprises:
mailboxes [database] for storing voice messages (column 40, lines 15-29); and

a command interpreter 325 coupled to the mailboxes and receives a command from telephone 271 over a public telephone switch network 273 to administer multiple voice messages, stored in a mailbox, having a common trait, such as "delete old messages from DAVID" (column 41, lines 28-42).

2.8 Regarding claim 42, Tzirkel-Hancock teaches that the mailboxes store voice messages (column 40, lines 15-29).

2.9 Regarding claim 44, Tzirkel-Hancock teaches that the each message includes a senders name as DAVID in claim 38.

2.10 Regarding claim 47, Tzirkel-Hancock discloses a unified messaging system comprising computers and telephones (column 35, lines 41-48) for administrating multiple messages over a public telephone switch network 273 by a telephone 271 (Figures 36 and 37). Tzirkel-Hancock teaches sending a message to a subscriber and then waiting for a command. The subscriber may enter a voice command to delete multiple messages having a common sender, and messages with the common sender are then deleted (column 41, lines 19-42).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 9-13, 18, 24, 40, 43 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tzirkel-Hancock US 5,960,395 in view of Picard et al. US 6,233,318.

3.1 Regarding claims 9-13, 24, 40 and 43, Tzirkel-Hancock teaches a messaging system for administrating multiple voice messages. Tzirkel-Hancock also teaches that the messaging system comprises computers (column 35, lines 41-48), but fails to teach that the messaging system is a multimedia system, which stores e-mail, fax and pager messages.

However, Picard discloses an integrated messaging system (IMS) in figures 4 and 6. Picard teaches that multimedia messages, sorted by types, including voice, e-mail, FAX and pager, and non-voice messages can be converted into speech and sent to a telephone over a telephone switching network (Abstract; column 2, lines 34-40; column 6, lines 35-59; column 13, lines 22-25; column 14, lines 15-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Picard so that the Tzirkel-Hancock' system would have had multimedia capability, because such a modification would have enabled a subscriber to manage his/her messages in just one messaging system.

3.2 Regarding claim 18, Tzirkel-Hancock teaches a messaging system for administrating multiple voice messages based on a common sender, but fails to teach administering the multiple messages having a common trait which is a combination of subject, sender and date/time fields.

However, Picard discloses an integrated messaging system (IMS) in figures 4 and 6. Picard teaches that multimedia messages, sorted by types including e-mail, FAX and pager, can be converted into speech and sent to a telephone over a telephone switching network (Abstract; column 2, lines 34-40; column 6, lines 35-59; column 13, lines 22-25; column 14, lines 15-19). Picard further teaches that messages fields comprising type, subject, sender, date/time, size and status (column 7, lines 13-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Picard so that the multiple messages would have been sorted by sender, subject and date/time, because such a modification would have enable to a subscriber to manage his/her messages with more details.

3.3 Regarding claim 48, Tzirkel-Hancock teaches a messaging system for administrating multiple messages based on a common sender. Tzirkel-Hancock also teaches that the messaging system comprises computers (column 35, lines 41-48), but fails to teach the messaging system includes an e-mail server and the multiple messages includes an e-mail message.

However, Picard discloses an integrated messaging system (IMS) 106, with an associated e-mail server 115 in figure 4. Picard teaches that multimedia messages, sorted by types, including voice, e-mail, FAX and pager, and non-voice messages can be converted into speech and sent to a telephone over a telephone switching network (Abstract; column 2, lines 34-40; column 6, lines 35-59; column 13, lines 22-25; column 14, lines 15-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Picard so that the Tzirkel-Hancock' system would have comprised an e-mail server, and multiple messages would have included e-mail messages, because such a modification would have clarified the teaching of the computer in Tzirkel-Hancock, and would have enabled a subscriber to manage his/her messages in just one messaging system.

4. Claims 14, 19, 20, 22 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tzirkel-Hancock US 5,960,395 in view of Carlton et al. US 6,069,940.

4.1 Regarding claim 14, Tzirkel-Hancock teaches administering multiple voice messages, stored in a mailbox, having a common trait, such as a common sender, but fails to teach filing voice messages according to it subject.

However, Carleton discloses method for adding a subject line to a voice mail messages. Carleton teaches:

operating a voice message server 103 [computer] configured to stored messages in a database 109 (figure 1; column 3, lines 57-62), the voice message server being operatively coupled to a telephone device 112C through a public switched telephone network 100 (figure 1; column 6, lines 11-19);

receiving a command from the telephone over the public switched telephone network to administer multiple messages stored in the database having a common subject [trait] (column 8, lines 62-67; column 9, lines 1-11, 23-25; column 5, lines 28-31); and

administering the multiple messages by filing voice messages having the common subject in a folder [database] (column 5, lines 40-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Carleton so that the voice messages having a common subject would have been filed into a folder, because such a modification would have enabled a subscriber to organize his/her mailbox.

4.2 Regarding claims 19 and 20, Tzirkel-Hancock teaches administering multiple voice messages, stored in a mailbox, having a common trait, such as a common sender, but fails to teach filing voice messages according to a common trait includes a word common to the multiple messages and Tzirkel-Hancock also fails to teach receiving a series of touch tones corresponding to a particular search.

However, Carleton discloses method for adding a subject line to a voice mail messages. Carleton teaches searching a message for relevant terms [words] (column 9, lines 12-25). Carleton also teaches prompting a subscriber with a voice menu to help the subscriber navigating through the voice functions (column 7, lines 7-25), and receiving a command from the telephone over the public switched telephone network to play multiple messages stored in the database having a common topic (column 9, lines 23-25, 46-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Carleton so that the voice messages having a common word would have been retrieved by a command, and a subscriber would have been prompted to enter a key command to navigate through the voice mail system, because such a modification would have enabled the voicemail system to extract a word from a voice message used in a subject line and would have provided a navigate function for the voicemail system.

4.3 Regarding claim 22, Tzirkel-Hancock teaches administering multiple voice messages, stored in a mailbox, having a common trait, such as a common sender, but fails to teach receiving voice menu.

However, Carleton discloses method for adding a subject line to a voice mail messages. Carleton teaches prompting a user to select a function key to navigate through the voicemail system (column 7, lines 7-25; column 5, lines 13-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Carleton so that the voice messages would have provided voice prompts to a subscriber for navigating through the voice mail system, because such a modification would have navigated a subscriber through the voicemail functions.

4.4 Regarding claim 45, Tzirkel-Hancock teaches deleting multiple voice messages, stored in a mailbox, having a common sender, but fails to teach deleting voice messages having a common subject.

However, Carleton discloses method for adding a subject line to a voice mail messages. Carleton teaches that a subscriber retrieves messages having a common subject or topic by spoken the subject or topic (column 5, lines 28-31; column 6, lines 11-19; column 9, lines 46-55).

Therefore, since Tzirkel-Hancock teaches deleting multiple messages by a voice command, and Carleton teaches playing multiple messages also by a voice command, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Carleton so that the multiple voice messages would have deleted by either a common sender, or a common subject, because such a modification would have given a subscriber more options in deleting voice messages.

5. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tzirkel-Hancock US 5,960,395 in view of Matthews et al. US 4,602,129.

Tzirkel-Hancock teaches deleting multiple voice messages, stored in a mailbox, having a common trait, such as a common sender, but fails to teach sending a response message to the telephone indicating that the messages were deleted.

However, Matthews discloses a voicemail system and teaches playing a pre-recorded voice message to a subscriber after a messages was deleted (figure 36, steps 1866 and 1868; column 70, lines 24-28.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Matthews so that the a voice messages would have been played back to a subscriber when the multiple messages were deleted, because such a modification would have confirmed the deletion to the subscriber.

6. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tzirkel-Hancock US 5,960,395 in view of Tatchell et al. US 5,905,774.

Tzirkel-Hancock teaches a messaging system for administrating multiple messages based on a common sender. Tzirkel-Hancock teaches entering a voice command, but fails to teach the command includes a touch-tone signal.

However, Tatchell discloses a method of accessing and operating a voice mail system, Tatchell discloses a Personal Agent Processor (PAP) 27 [computer] configured to store voice messages and call-logs in a voice mail system [database], and the PAP is

coupled to a subscriber telephone by a Public Switched Telephone Network (PSTN) as shown in figures 1-3 (column 6, lines 63-67; column 7, lines 1-16; column 10, lines 48-67; column 11, lines 1-8). Tatchell teaches that the PAT receives a command from a subscriber's telephone to administer messages and the command can be either a voice command or a touch-tone [DTMF].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Tzirkel-Hancock reference with the teaching of Tatchell so that the a command would have been either a voice command or a DTMF, because such a modification would have increased the flexibility of the system.

Response to Arguments

7. Applicant's arguments with respect to claims 2, 3, 5-24, 26, 29 and 38-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER
Fan Tsang



S.S.

10/14/2003